

UNITED STATES DISTRICT COURT  
BOSTON, MASSACHUSETTS 02210

January 11, 2007

CHAMBERS OF  
JUDGE MORRIS E. LASKER

Re: Dennis Dimon v. Metropolitan Life Insurance  
Co., Kemper Insurance Co., Morgan Stanley  
DW, Inc., Michael B. Latti, Latti Assoc., and  
Latti & Anderson LLP,  
Civil Action No. 05-11073-MEL

ALL COUNSEL:

On December 26, 2006 the plaintiff and Morgan Stanley DW, Inc. filed a joint motion for entry of order of dismissal with prejudice. Because the motion was characterized as "joint" it was granted without waiting for the ordinary period of an answer.

On January 3, 2007, Metropolitan Life Insurance Co. filed its opposition to the joint motion and a cross-motion to amend the answer to include cross claims.

I am hereby instructing the plaintiff and Morgan Stanley DW, Inc. to respond to Metropolitan Life Insurance Company's opposition to the earlier joint motion and its motion for an order of dismissal with prejudice as to Morgan Stanley and its cross-motion to amend its answer to include cross claims.

If any other party has an interest in these proceedings, it may submit expedited documentation of its position.

Very truly yours,

  
Morris E. Lasker